

HUMAN SERVICES BOARD

INTRODUCTION

FINDINGS OF FACT

2. The Department sent petitioner a Notice of Decision dated October 26, 2008 reducing her Food Stamps from \$271 per month to \$101 per month effective December 1, 2008. The Department explained that the household members went from

three to two and that the allowed childcare expenses went to zero. There is no dispute as to the income figures used by the Department.

3. The petitioner is disabled and she receives Social Security disability benefits in the amount of \$658 per month. Petitioner was employed but lost her job on November 3, 2008.

4. Petitioner applied for RUFA benefits on or about November 13, 2008. At that time, petitioner did not have housing or shelter expenses.

5. The Department issued a Notice of Decision on December 5, 2008. The Department found that petitioner was not eligible for RUFA because her countable income of \$658 was more than the maximum benefit of \$337.28 (the benefit for a two person household without shelter costs). The Department found that petitioner was entitled to \$210 per month in Food Stamps starting December 1, 2009 because she no longer had earned income, and the Department issued a supplemental payment of Food Stamps on December 5, 2008. Petitioner filed a request for fair hearing on December 15, 2008.

6. A fair hearing was held on January 15, 2009. Petitioner recently found housing and was informed to speak

to her eligibility benefits worker to have her case redetermined.

ORDER

The Department's decision is affirmed.

REASONS

The RUFA program provides financial assistance to low income households who have minor children. Eligibility is based upon the amount of net monthly income and the amount of resources a household has. A household will be eligible only if their available monthly income is less than the payment standard and their resources are less than the maximums. W.A.M. § 2240.

To determine available monthly income, the Department starts with the basic needs standard; the basic needs standard for a two-person household is \$680 per month. W.A.M. § 2245.2. Next, the Department determines whether there is a monthly shelter allowance. Petitioner did not have shelter expenses at the time she applied. Pursuant to W.A.M. § 2245.24, available monthly income is calculated by (1) adding the basic needs standard and the shelter allowance and (2) multiplying the amount by 49.6 percent. The 49.6 percent figure is the ratable reduction; the Department is

allowed to reduce the household's basic needs and shelter allowance because there are insufficient monies to fully fund this program. W.A.M. \$ 2245.24.

In petitioner's case, the Department accurately determined that petitioner's available monthly income was \$337 and accurately determined that her surplus income made her ineligible for RUFA.

In addition, the Department correctly removed J.R. from the petitioner's Food Stamp household causing a reduction in petitioner's Food Stamps. Once the Department was informed that petitioner was not working, they promptly and correctly redetermined her monthly benefit.

Based on the above discussion, the Department's decision finding petitioner ineligible for RUFA and recalculating her Food Stamps is affirmed. 3 V.S.A. § 3091(d), Fair Hearing No. 1000.4(D).

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